

## REMARKS

Applicants' representative would like to thank Examiner Edell for the courtesies extended during an interview conducted on 28 February 2007. During the interview, the Examiner agreed that amendments to independent Claims 16 and 23 that recite a lever having an axis of rotation common to a longitudinal axis of a cross-member defines over Vollrath (DE 25 08 645). While the Examiner was agreeable that the aforementioned amendments would define over Vollrath, the Examiner indicated that such amendments would necessitate filing a Request for Continued Examiner, as further searching is required. The Examiner also indicated that if the allowable subject matter is incorporated into the independent claims, that the case would be allowed without requiring a Request for Continued Examination. Applicants have amended each of independent Claims 16 and 23 to include the identified allowable subject matter of Claims 17, 18, and 10-12, respectively, and therefore respectfully submit that the application is in condition for allowance.

Claims 13-16 and 19-25 are now pending in the application. By this paper, Claims 16 and 23 have been amended and Claims 10-12, 17, and 18 have been cancelled without prejudice or disclaimer of the subject matter contained therein. The basis for these amendments can be found through the specification, claims, and drawings originally filed. No new matter has been added. The preceding amendments and the following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the application in condition for allowance. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 16 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over DE Patent No. 25 08 645 to Vollrath in view of U.S. Patent No. 6,024,410 to Yoshida.

Claims 10, 15, and 23-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vollrath in view of U.S. Patent No. 5,826,942 to Sutton et al.

Claims 11, 13, 17, and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vollrath in view of Yoshida as applied to Claims 16 and 21 above, and over Vollrath in view of Sutton et al. as applied to Claims 10, 15, and 23-25, and further in view of U.S. Patent No. 5,842,738 to Knoll et al.

These rejections are respectfully traversed.

Applicants respectfully submit that these rejections are moot with respect to independent Claims 16 and 23, as independent Claims 16 and 23 have been amended to incorporate allowable subject matter. Applicants also submit that this rejection is similarly moot with respect to Claims 10, 11, and 17, as Claims 10, 11, and 17 have been cancelled without prejudice or disclaimer of the subject matter contained therein. In light of the foregoing, Applicants respectfully submit that independent Claims 16 and 23, as well as Claims 13-15, 19-22, 24, and 15, respectively dependent therefrom, are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested.

### **ALLOWABLE SUBJECT MATTER**

The Examiner states that Claims 12, 14, 18, and 20 contain allowable subject matter and would be allowable if rewritten in independent form including all of the


limitations of the base claim and any intervening claims. Applicants have amended independent Claim 16 to incorporate the identified allowable subject matter of Claim 18 and have amended independent Claim 23 to incorporate the identified allowable subject matter of Claim 12. Accordingly, Applicants respectfully submit that independent Claims 16 and 23, as well as Claims 13-15, 19-22, 24, and 25, respectively dependent therefrom, are in condition for allowance.

#### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 12 March 2007

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